

In subsection (a)(1) of this section, the reference to a controlled dangerous substance "listed in Schedule I or Schedule II" is added for clarity. Section 5-303(d) of this title, concerning the requirement for using order forms, only applies to controlled dangerous substances listed on those schedules.

In subsection (b)(1) of this section, the former reference to prosecution "by an information or indictment" is deleted as implicit in the reference to being "guilty of a misdemeanor".

Defined terms: "Controlled dangerous substance" § 5-101

"Dispense" § 5-101

"Distribute" § 5-101

"Person" § 1-101

"Registrant" § 5-101

"Schedule I" § 5-101

"Schedule II" § 5-101

5-905. REPEAT OFFENDERS.

(A) IN GENERAL.

A PERSON CONVICTED OF A SUBSEQUENT CRIME UNDER THIS TITLE IS SUBJECT TO:

- (1) A TERM OF IMPRISONMENT TWICE THAT OTHERWISE AUTHORIZED;
- (2) TWICE THE FINE OTHERWISE AUTHORIZED; OR
- (3) BOTH.

(B) RULE OF INTERPRETATION.

FOR PURPOSES OF THIS SECTION, A CRIME IS CONSIDERED A SUBSEQUENT CRIME, IF, BEFORE THE CONVICTION FOR THE CRIME, THE OFFENDER HAS EVER BEEN CONVICTED OF A CRIME UNDER THIS TITLE OR UNDER ANY LAW OF THE UNITED STATES OR OF THIS OR ANOTHER STATE RELATING TO OTHER CONTROLLED DANGEROUS SUBSTANCES.

(C) SUPERSEDED LAWS — PAROLE, PROBATION, SUSPENSION OF SENTENCE.

A PERSON CONVICTED OF A SUBSEQUENT CRIME UNDER A LAW SUPERSEDED BY THIS TITLE IS ELIGIBLE FOR PAROLE, PROBATION, AND SUSPENSION OF SENTENCE IN THE SAME MANNER AS THOSE PERSONS CONVICTED UNDER THIS TITLE.

(D) SENTENCING IN CONJUNCTION WITH OTHER SENTENCES.

A SENTENCE ON A SINGLE COUNT UNDER THIS SECTION MAY BE IMPOSED IN CONJUNCTION WITH OTHER SENTENCES UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 293.

Throughout this section, the references to a "crime" are substituted for the